

ESTTA Tracking number: **ESTTA482067**

Filing date: **07/06/2012**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91204727
Party	Plaintiff Athletics Investment Group LLC d/b/a The Oakland Athletics Baseball Company
Correspondence Address	ARYN M EMERT COWAN LIEBOWITZ & LATMAN PC 1133 AVENUE OF THE AMERICAS NEW YORK, NY 10036-6799 UNITED STATES ame@cll.com, jmn@cll.com, trademark@cll.com
Submission	Motion to Suspend for Settlement Discussions
Filer's Name	Aryn M. Emert
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Signature	/Aryn M. Emert/
Date	07/06/2012
Attachments	MOCS - FLYIN AS - JULY 6.pdf ( 3 pages )(11501 bytes )

In re Application Serial No. 85/269,917  
Filed: March 17, 2011  
For Mark: THE FLYIN' A'S  
Published in the Official Gazette: October 18, 2011

Opposition No. 91204727

Opposer, by and through counsel, hereby moves for an order suspending the proceedings in this matter for a period of sixty (60) days, until **September 4, 2012**. Applicant's counsel consented to this motion, which is requested to allow the parties to engage in settlement discussions.

Progress has been made towards settlement of this matter. The parties' counsel negotiated potential terms for settlement. Thereafter, Opposer's outside counsel drafted an agreement based on those terms, and relayed the agreement to Opposer's in-house counsel for consideration. The additional time is requested for Opposer's in-house counsel to review the draft agreement and for the parties to continue to work towards settlement of this matter.

In the event that the Board denies this motion, Opposer consents to an extension of time for Applicant to file an answer or otherwise respond to the Notice of Opposition until sixty (60) days after such denial.

If the Board grants this motion, the Board should also reset Applicant's time to answer or otherwise respond to the Notice of Opposition until thirty (30) days after the suspension ends. Additionally, the parties request that six months of discovery be allowed and that the discovery cutoff be reset to six (6) months after the proceedings resume so that the parties will have the full period of discovery in the event that the matter is not able to be resolved. The trial periods and other periods should be reset accordingly.

Dated: New York, New York  
July 6, 2012

COWAN LIEBOWITZ & LATMAN, P.C.  
Attorneys for Opposer

By: /Aryn M. Emert/

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on July 6, 2012, I caused a true and correct copy of the foregoing Motion to Suspend to be sent via First Class Mail, postage prepaid, to Applicants' Attorney and Correspondent of Record Lawrence A. Waks, Jackson Walker L.L.P., 100 Congress Ave., Ste 1100, Austin, Texas 78701-4042, with a courtesy copy to Raman N. Dewan at the same address.

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/Aryn M. Emert/  
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